

The Honorable Benjamin H. Settle

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

WASHINGTON STATE MILITARY  
DEPARTMENT,

Plaintiff,

v.

JOHN WORTHINGTON,

Defendant.

NO. 3:11-CV-05143-BHS

DECLARATION OF BRIAN  
FALLER RE WASHINGTON  
STATE MILITARY  
DEPARTMENT'S MOTION FOR  
SUMMARY JUDGMENT

I, Brian Faller, state and declare as follows:

1. I am over the age of eighteen years and a citizen of the United States. I am an Assistant Attorney General in the Office of Washington Attorney General and represent the plaintiff the Plaintiff, Washington State Military Department in this proceeding. .

2. The documents attached to this declaration as Exhibits 1-10 are true and correct copies of the documents referenced in the Washington State Military Department's Motion For Summary Judgment.

3. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 5th day of May, 2011, at Olympia, Washington.

/s/Brian Faller  
BRIAN FALLER  
Assistant Attorney General